

COMMENTS

Claims 1-3 and 5 are the claims in the case. Claims 1 and 5 have been amended to improve readability. No new matter has been added.

Rejection under § 102

The examiner rejected claims 1-3 and 5 under 35 U.S.C. § 102(b) as anticipated by US Patent 5,497,293 to Noguchi. Applicant traverses this rejection.

The claims of the present application are directed to a clip having a self-supporting shape. This limitation is not disclosed or suggested by the Noguchi patent. Noguchi discloses a holder 6 having parallel planar surfaces having holes 6a" bored therethrough and washer-like protrusions 6a' integral therewith. The shape of the Noguchi holder 6 is not self-supporting but, instead, its structure depends on a separate nut-and-bolt connection placed through the holes in the planar surfaces which align with holes bored into the plates to be illuminated.

Further, claims 1-3 and 5 recite that the clip is elastic. Because the clip embodiments described by these claims are able to undergo elastic deformation, they may be used with various panel thicknesses. An additional advantage of the elasticity is that the clip may be moved along the length of the panel to be lit without any necessity of undoing fasteners such as screws or the nut and bolt combination taught by Noguchi. The element of elasticity is not disclosed or suggested by the Noguchi patent.

Furthermore, claim 1 requires that at least one clamping arm be diagonal to an external surface of the panel. Noguchi does not teach or suggest this limitation and, indeed, it appears to teach away from such a limitation.

Accordingly, Noguchi does not anticipate claims 1-3 and 5 of the present invention. Withdrawal of this rejection is therefore requested.

Rejection under § 103

The examiner rejected claim 2 under 35 U.S.C. § 103 as obvious in that Noguchi discloses all the limitations of claim 1 but does not disclose the claim 2 limitation that the clamping arms are of different lengths. The examiner found this limitation to be obvious adjustability, involving only routine skill in the art. This rejection is traversed.

As pointed out *supra*, Noguchi fails to disclose or teach that the clip is self-supporting or elastic and indeed teaches away from such a limitation. See column 3, lines 26-45. Accordingly, Noguchi fails to teach, disclose, or suggest the limitations of claim 1, which limitations are also part of claim 2, which depends on claim 1. Withdrawal of this rejection is respectfully requested.

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CONCLUSION

In view of the foregoing, applicant submits that the claims as amended present patentable subject matter. Allowance is respectfully requested.

Respectfully submitted

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